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1751



THE
ANSWER
FROM THE
Corporation of Deal,
TO THE
Reverend Dr. CARTER.

DEAL, July 31. 1751.

Reverend Sir,

IN your Letter to the Mayor of this Town, dated the 14th Day of *March* last, which you desir'd him to communicate to the Corporation, you say, The Treatment you have met with from them, and, in particular, with respect to the Choice of a Chapel Clerk, obliged you, in Justice to your self, to explain it in Writing, in order to make it publick. The same Reason hath induced us to do the like, by setting forth a true and impartial Account of that Transaction, and the other Affairs, so far as the same concerns this Corporate Body.

A

Upon

Upon the Death of the preceding Clerk, who was the first, and the only one since the Consecration, which was in the Month of *June 1716*, we made a very particular Enquiry; and from thence were well inform'd, the said Clerk was nominated by our Predecessors, even with the Approbation of Dr. *Wake*, the then Archbishop: For which Reason we, as a Corporate Body, apprehended ourselves in full Possession of the same Right; and on the 14th Day of last *August* did appoint *Dennet Pilcher* of this Place the succeeding Clerk; and at the same Time gave him Directions, to wait on you in a civil and courteous Manner, to inform you thereof; which he accordingly did: And when he returned, he acquainted us you had declared your good-liking of him, and said, That he was the very Person, before any other, you yourself had fixed upon to be the Clerk, in case the Right of Nomination should prove to be in you; yet as we had chosen him, for that very Reason you would nominate another. Thereupon we directed our Town-Clerk to inform you, We had chosen a Clerk, and that you might do as you pleased. This you call a strange Message— Granting it so, was it not an Answer to a much stranger? But to return: After this, a Letter dated the 28th Day of the same Month (*August*) was sent to the present Mayor, by the Order of the Archbishop, with the Opinion of an eminent Civilian, signifying, That the Right of nominating a Clerk is in the Officiating Curate, by Virtue of the 91st Canon. But as this Chapel was established by Virtue of an Act of Parliament made in the 10th Year of the Reign of Queen *Ann*, we presumed the said Canon did extend to Clerks of Parish Churches only, and not to the Clerk thereof: And to be fully satisfied in that Point, we and the Chapel-

Chapel-Wardens applied to Mr. *Knowler*, the Recorder of *Canterbury*; who on the 12th Day of September last sent us his Opinion: And we being thereupon convened in our Guildhall, did, so soon as it was read over to us, send to you by the Town-Clerk, a Copy of so much thereof as related to the Choice of a Clerk; and submitted the Right of Nomination to you, without any further Difficulty or Dispute.

You say, That at the Time the Town-Clerk deliver'd this Message to you—The Corporation have chosen a Clerk, &c.—we had before us our own Counsellor's Opinion, declaring the Right to be in the Minister of the Chapel, and not in the Corporation: And that when you told us, You would lay the Affair before his Grace, you was then assur'd, if you had the Right, we would not oppose you: And then you add, How came you precipitately to choose a Clerk before you heard his Grace's Answer, or had heard or taken any Opinion upon the Point? Wherein, you apparently contradict your self, by first saying, That at the Time the Message was deliver'd, we had our own Counsellor's Opinion before us, declaring the Right to be in the Minister; And immediately afterwards, you ask, Why we did precipitately choose a Clerk, before we heard his Grace's Answer, or had heard or taken any Opinion upon the Point. Which Message, we sent to you presently after the Choice, and before we had received any Opinion, either from his Grace, or our own Counsellor, as the respective Dates do plainly manifest.

You lay great Stress on your having offer'd to choose *Dennet Pilcher* Clerk of the Chapel, after the Right appeared to be in you; but we are perswaded, that it will not be thought so great a Com-

pliment to us, as you would have the World believe, especially by those, who duly consider the uncivil Message you sent by the said *Pilcher*, after he had acquainted you We had chosen him ; namely, *Altho' he was the very Person, before any other, you your self had fixed upon to be the Clerk, in case the Right of Nomination should prove to be in you ; yet as we had chosen him, for that very Reason, you would nominate another.* For our Parts, we must confess it has induced us, to think your Offer contained more Art, than Civility or Regard to us, and proceeded, either from your still preferring him to all other Men, or with a View to get a handsome Allowance given him for his Service ; and to this last Motive, we attribute your Compliment to us, before you appointed the present Clerk : And if that was your Intention, it effectually answered it, for he is paid, agreeable to all our Inclinations, the same Salary as we proposed to give to the Clerk of our own Nomination, had the Right appeared to have been in us ; and it will be continued to him, as was then proposed, so long as the Income of the Chapel will allow thereof ; and this we think is acting the just Part, notwithstanding your severe and ill-natured Censures on all our Proceedings.

You also say, you was told we intended to propose to Counsel several other Questions relating to you ; and that at the Time Mr. *Drayson* deliver'd our Counsellor's Opinion, concerning the Nomination of the Clerk, you asked very earnestly for those other Questions and Answers, both for your own Guidance, and to send Copies of them to the Archbishop : But that this was a Favour not to be granted, either on your own Account, or on Account of his Grace.

As we and the Chapel-Wardens were determined to take the Opinion of a Counsellor concerning the Nomination of a Clerk, we thought it would not be improper to propose several other Questions relating to the Chapel, and in particular with respect to the Curate's Duty, and accordingly did propose them at the same Time, but with no other View, than to be informed, what, in the Management of the Chapel Affairs, of Right belonged to the Curate, and what to the Corporation ; as well as what Duty was to be expected from the Curate, that we might not by any Mistake on our Part, be drawn into further Disputes with you, and not for the Purposes you would insinuate. And, as you had been then Curate here between 30 and 40 Years, it was reasonable to suppose you had inform'd yourself in every Particular relating to your Duty, and could not want any Help from us for your Guidance : Neither could it be supposed, you would be influenced by the Opinions we had received from Counsellor *Knowler*, as you would not submit to Counsellor *Randolph*'s, in relation to Perquisites (Fees and Offerings) : These Reasons, and your telling the Mayor in a threatening Manner, that the Charge of Counsellor *Knowler*'s Opinion should not be placed to the Chapel Account, induced us to refuse you a Copy of them : But this surely cannot be deemed any Disrespect to his Grace, since you did not tell us, that he empower'd you to ask for a Copy of them for his Inspection ; nor have we ever heard, that he gave you any Directions for that Purpose ; if we had, we should have thought it our Duty, and ourselves have sent a Copy of the Whole to his Grace, for whom we have the greatest Respect and Regard.

To

To shew, how little Reason you have to reflect on the Corporation, and to tax them with Cruelty and Injustice, in refusing to pay you Offerings or Fees, as well as your Expences in attending the Visitation, we need only repeat what our Counsellor *Mr. Knowler* has said thereon, which we shall do in his own Words: They are as follows.

‘ By the 45th Canon, the Minister is obliged to preach a Sermon every Sunday, and besides this, he is to do every other Service in the Chapel, according to the Canons, Rubrics, and the Junction of the Ordinary; and he is to do all this, for the Allowance provided for him by the Act of Parliament, and the Instrument of Dedication; and I apprehend, he can claim no Fee besides that Allowance; neither is he entitled to any Thing for his Expence in attending the Visitation.’

You alledge, That you never heard till now, any Counsellor, during your Time, was consulted about your Right to a Fee for Burying, Churching, &c. But that you have been told indeed, since the Business of the Clerk, that Counsellor *Randolph* was consulted upon it formerly; and that you knew he was so consulted; and that you have continued to take those Fees, tho' you knew he had said you have no Right to them. And that you have been greatly amazed at all this; but you must bear it. And that upon the strictest Recollection, you can say, that you never heard 'till now, that Counsellor *Randolph* was consulted upon the Matter of those Fees; and consequently could not know what Opinion he had given thereupon; and that you have a particular Reason, to believe he never was consulted upon this Question at all. However, if he was, you knew nothing of it. And whoever has affirmed

to

to the contrary, is guilty of a base Falsehood.— In the Year 1722, a Matter of Right was in Dispute with you, relating to the Herbage of the Chapel-Yard, and the Profits thereof, by breaking it up for Burials; and the Opinion of Counsellor *Randolph* was then taken thereupon, and verbatim, the following Questions and Answers were wrote on the same Side of the Paper, and his Name subscribed but once to all of them at the Bottom thereof: And as what relates to your Profits or Perquisites, is interwoven, in the Conclusion with that of the Herbage, no Person can think you could read the one without the other.

‘ Q. In whom the Freehold of the Chapel of *Deal*, and the Ground belonging thereto is vested.
 • and to whom the Herbage of the said Ground, and
 • the Profits by breaking up the Ground for Burials
 • does belong; whether to Mr. *Carter*, as Curate
 • thereof?’

‘ I am of Opinion that the Freehold is still vested
 • in the Mayor, Jurats, and Common Council, who
 • purchased the Land, and built the Chapel, and
 • consequently they have a Right to the Herbage and
 • to the Profits arising by Breaking up the Ground,
 • and that neither the Act of Parliament, nor the In-
 • strument of Dedication take from them that Right,
 • nor is there any colour for Mr. *Carter* as Curate,
 • to demand it.’

‘ Q. Whether the Corporation or Chapel-War-
 • dens, without the Curate, can give Leave to break
 • up the Ground for Burials, or to make a Vault in
 • the Chapel-Yard?’

‘ I apprehend that the Freehold being in the Cor-
 • poration, they and the Chapel-Wardens, may
 • give Leave to break up the Ground, or make a Vault
 • in

‘ in the Chapel-Yard, and may take the Herbage
‘ without the Curate’s leave.’

‘ Q. Whether by the Act of Parliament the Curate
‘ is confin’d to One hundred Pounds *per Annum*,
‘ exclusive of the Perquisites arising therefrom?’

‘ I apprehend that the Curacy, being a new Cu-
‘ racy, founded upon an Act of Parliament newly
‘ made, he cannot of Right demand more than the
‘ Act gives him, which is an Allowance not exceed-
‘ ing 100 l. *per Annum*; and I don’t find any Clause
‘ in the Act, nor in the Instrument of Dedication,
‘ that gives him any other Profits or Perquisites,
‘ much less any Right to the Freehold. But I find
‘ in the Archbishop’s Instrument of Dedication, that
‘ he appoints 70, or at least 60 Pounds *per Ann.* for
‘ his Salary, which is less than is mentioned in the
‘ Act of Parliament; I find also, that the Corporati-
‘ on are appointed to Repair the Chapel and Walls,
‘ which is an Instance that the Freehold remains in
‘ them.

Sign’d, HERBERT RANDOLPH.
17th August, 1722.

And you not being satisfy’d with the Answers to those Questions, the Corporation and the Chapel-Wardens to oblige you, did consent to advise with him again, when you your self was present; and Counsellor *Randolph* still persisting in the same Opinion, you urged many Arguments to induce him to the contrary; at which he was so irritated, that he refused even the Fee you then offer’d; which Matter, so very remarkable, any Person would think could not easily slip your Memory, especially upon your strictest Recollection. How inconsistent and unjust

unjust therefore, is it in you, to call it a base False-hood?

You further set forth, That you finding all the Corporation refused to pay your Fees, you sent to Mr. Adams a Message out of Civility; before his Wife came to Church; to acquaint him you would not church her, unless he would pay you the accustomed Offering. Upon which Mr. Adams, accompanied by Mr. Oakley, went to your House, to speak with you about it; and then you peremptorily told them that you would not church her, unless he paid you the usual Fee. And this then was your final Answer; but on your Recollection, imagining, as we suppose, that you had gone too far, you wrote the following Letter.

Mr. ADAMS, February 9th, 1750.

' I make you hereby this fair Offer, That I will
 ' church your Wife, upon Condition, that you will
 ' promise to give me the usual Offering or Fee, if
 ' the Vicar General, or Attorney General, or some
 ' other eminent Counsellor in *London*, whom I will
 ' consult, when I the next Time go thither, shall
 ' give it as his Opinion, under his Hand, either
 ' that I am not obliged to do that Office, or not
 ' obliged to do it without the usual Offering or
 ' Fee; and if his Opinion shall be that I am oblig-
 ' ed to do it, and to do it without Offering or Fee,
 ' I will never make any Demand upon you, for my
 ' having churched her. This is my final Answer,
 ' and not that general one, which I made an Hour
 ' past before Mr. Oakley.

' I am your humble Servant,
 ' (Sign'd) NICOLAS CARTER.

' To Mr. William Adams. These.'

When Mr. *Adams* had communicated to us, what had passed between you and him in Conversation, and shewn us the foregoing Letter, we were of Opinion, that your refusing to church his Wife, unless he would comply with your Proposal, was a Breach of the Duty enjoyned by the Act of Parliament and the Instrument of Dedication, and amounted in Fact to a Refusal; therefore sent Mr. *May*, the only Chapel-Warden then in Court, to wait on you with this Message.

" The Corporation think you have been guilty of a Breach of Duty, by refusing to church Mrs. *Adams*, therefore have come to a Resolution not to pay you Quarterly, but Annually, until you shall comply with the Whole of your Duty; after which, they will pay you Quarterly as before."

From Mr. *May*'s quiet and modest Behaviour on other Occasions, we presume he deliver'd this Message so far as you would permit him, in a decent and proper Manner (agreeable to our Intentions:) We say, so far as you would permit him, for he has informed us, That before he could deliver the whole, you interrupted him; and on his attempting to go on with the Message, your Indignation was raised, as you confess in your Letter to the Mayor, and you stopped him, by saying — Don't tell me of Nonsense. A Behaviour, no way favourable to the Character of a Gentleman of your Profession; and which you seem to be conscious of, from your endeavouring to guard against it, by asserting, (about nineteen Lines further on in the aforesumption'd Letter) That altho' it is reported you put your self into a Passion, so that Mr. *May* could not deliver his Message, you had two Witnesses in the Room, who will testify, That upon

Mr.

Mr. May's coming to the Door, you asked what his Busines was with you ; after which you stopped speaking, and never uttered a single Word, until he had fully delivered the Message, as you have related it : Which we must observe to you, is only a Part of the Message ; therefore what you have said will not serve your Purpose, nothing more being to be gather'd from it, than, that you did not interrupt him, while you permitted him to proceed ; and that you was not in a Paffion, until you grew Angry, or to use your own Words, until your *Indignation was raised* ; wherein you will be believed, without giving your self the Trouble to produce Witneses,

You call this Message an unworthy one, and seem to be surpriz'd such a number of Men, all, if you are rightly informed, except one, could have agreed to cast off a Regard to Decency, and Fairness ; and send a Message, grounded upon Falshood, and which too tends only to gratify Malice, and to no good Purpose whatever. And then you add— For they knew from a Declaration under my own Hand, which could not be mistaken, what I had offer'd to Mr. Adams.

To which we answer— It is plain from what we have already said, that you knew Counsellor *Randolph* was of Opinion you had no Right to any Profits or Perquisites ; that is to say, Fees for Burying, Churching, &c. in Addition to the Salary established for you by the Act of Parliament, and the Instrument of Dedication : And you could not be ignorant that Counsellor *Knowler*, who was consulted upon the Affair of the Clerk, was of the same Opinion likewise ; since in your Letter to the Mayor, you say— *Another of your Questions, as it is said, was — Whether I have a Right to a Fee for*

Burying, Churching, &c. And then you add, *You have spread it about that I have no Right*: But what puts it past all doubt, is, Mr. Drayson has informed us that he told one of your Daughters so in your Presence, in Answer to a Question she asked him, at the Time he waited on you, with Mr. Knowler's Opinion concerning the Choice of the Clerk: And we may add, that you knew it from what passed between you and Mr. Oakley, when he accompanied Mr. Adams to your House, about the Message you sent him, antecedent to your Letter. Knowing this, How could you, without *casting off a Regard to Decency and Fairness*, refuse to church Mrs. Adams, but on Conditions? And on such Conditions too, as you had no legal Right to insist on; and which, we doubt not, will appear to any unprejudiced Person, to be very unreasonable, even if it should be supposed, that you had not known the Opinions of Counsel relating thereto; for you was thereby to state your own Case, and to choose who you pleased to determine it; and if it should be in your Favour, then Mr. Adams was to pay you: But under such Circumstances, who could believe that it would be determined otherways, whether Right was, or was not on your Side? Mr. Adams was sensible of this, and knew too from Opinions of Counsel, that you had no Right to insist on the Conditions of your Proposal: Could it be expected then, that he would accept them? We are perswaded you could not think, much less any unprejudiced Person, that he would: And in that Case, was not the Letter you writ to him, in Fact a Refusal, altho' you did not in direct Terms say therein, I will not church your Wife? Therefore, how unjust is your saying our Message was grounded on Falshood? — And as our

Ms.

Message was not grounded on Falshood ; so neither was it an unworthy one, tending only to gratify Malice, and to no good Purpose whatever : For to any Person, who will consider the Affair impartially, it must appear, as it really was intended, to oblige you to do your Duty, and to prevent your fixing an Imposition on the People, namely, Exacting Offerings or Fees from them, for Burying, Churching, &c. when you have no Right thereto ; and that you have not, is plain from the Opinions of two eminent Counsellors and one Civilian, whom we and the Chapel-Wardens have consulted thereupon.— You may be angry at this ; but surely no Blame can be laid on us ; neither can we therein be accused of endeavouring to starve you, and your Family, as you would insinuate. For it is unreasonable, That the *Poor, or Men in narrow Circumstances*, should be obliged to pay a Fee to you, and to the Minister of *Upper-Deal* for the same Duty, as has been constantly the Practice ever since you have been here. We say, the *Poor or Men in narrow Circumstances* ; for, as to others, there can be no doubt, of their giving all due Encouragement to every *deserving Clergyman*, who does not demand by a pretended Right, but depends on their Free Will, for such Fees as he has no Title to but from their Favour.

And, Sir, give us Leave to say, that if you had behaved with more Complaisance and Civility ; not so warm in your Reflections ; nor so fond of Controversy and Dispute ; but had promoted Peace, by endeavouring to make up Differences instead of widening them, you would have been more respected, not only by this Corporation, but by all, who have been acquainted with you in this Country,
Clergy

Clergy as well as Laity : But with regard to what only concerns us, we submit to your serious Consideration, whether the printing and dispersing your Letter to the Mayor, may not tend more to bring the Magistracy of this Town into Contempt, than to your own Justification ? And when once Magistrates are despised, whether Vice, Disorder and Licentiousness will not naturally follow ?

You exult, and with an Air of Triumph call upon us, as if your Behaviour had been always absolutely void of all Offence, to shew what we have found in you worthy of Reproof, either in your Preaching or Morals, for upwards of thirty Years : But as that would be a very disagreeable Subject, and refresh in our Memories, what, for the Sake of good Neighbourhood and Quietness, we would willingly forget, we beg Leave in the Room of it, to add a few Words of Advice, which are as follows.—Be humble enough to speak with Kindness and Civility to all you meet, and *not look upon them with Coolness and Disdain*. Avoid all *Wrangling, and take no Delight in keeping Differences up by subtle Arguments* ; nor be *Angry with those, who, for the Sake of Peace, don't chuse to espouse your Quarrels, or carry on your Resentments*. Consider, that even the best Men have their Foibles and Failings ; impute not therefore, the Mistakes of any, to the worst Designs ; nor think, that *Heat, Passion, and an overbearing Behaviour*, will ever convince or reform them : And above all, when you rebuke, do it with Gentleness, Moderation, and Good-nature ; and not to gratify *Ill-will, Malice, or Ressentment* : Then you will shew, that you have nothing but our eternal Good at Heart, and consequently your Doctrine will be more regarded, and you more esteem-

esteemed; also you will find in us such a pacifick Disposition, as not to give you the least Uneasiness: Nor do we even now desire to enter into any further Dispute, being all of us inclined to Peace, and most of us no Time to continue Debates without neglecting our Busines; and are sorry we are at this Time obliged to trouble the Publick (by your Printing) with what concerns none out of the Parish, or can give them any Pleasure, or indeed be of any Use, unless to make them cautious, how they associate with a Person, who, for his private Designs, has printed an unguarded Conversation seven Months after it happened. We are,

Reverend SIR,

Your humble Servants,

The Corporation of DEAL.

In Testimony whereof we have affixed our Common Seal.



P.S. The Gentlemen who you particularized in your Letter to the Mayor, have answered respectively what related to them, and their Letters accompany this.

To the Reverend Dr. CARTER,



Mr. MAYOR's Answer.

DEAL, July 31, 1751.

SIR,

THE several Mistakes contained in your Letter, induced me to send that short Answer, to avoid future Disputes, which you are inclinable too hastily to embrace, and carry on ; for which Reason, and the Sake of Peace, did not then enter into the Particulars thereof, which your Publication, and Remarks obliges me to do, in Justification of my Behaviour ; in which I shall proceed in the Manner following.

In the beginning of your Letter, you set forth the Conversation which had pass'd between you and Mr. *Dilnot*, (the then Mayor) relating to the Choice of a Chapel Clerk, and about advising with Counsel thereon; and you say, you expected to know the Resolution of this Corporation by Mr. *Dilnot*, at my House, (the Mayor's Feast, which was on the eighth Day of *August* last) for which I refer you to Mr. *Dilnot's Answer*.) Upon my being elected Mayor of this Town, I did, as usual, make an Entertainment, and invited some Friends, besides the Members of the Corporation, in order to spend a few Hours pleasantly, and agreeably. In your Letter you say, that not a Word was said to you; you ask'd me what Resolution the Corporation had come to, about the Choice of a Clerk: I must own, as I knew nothing of such Intention, that I thought it very improper to enter upon Matters of Controversy at that Time; and do indeed believe you must do the same, on purpose

purpose to make my Friends uneasy, and set aside the Felicity intended ; but however, be that as it will, I appeal to every considerate Person, whether the Time and Place was proper for such a Debate, after I had told you, that the Corporation had determined, not to go to Counsel. You say, That I, in a contemptuous Manner, added, What ? go to Counsel to know whether my Estate be my own, You may go to Counsel if you will. Which, on a serious Reflection, I cannot remember to have said. Pray give me Liberty, Sir, to ask the like Question : Supposing that you had been in Possession of an Estate, between thirty and forty Years, and a Person should pretend a Right thereto, and desire you to go with him, to advise with Cotinsel on your Title ; I believe you would think such a Request very unreasonable. Pray, what great Matter is there in the Expression, admitting the Truth thereof ? which you yourself have also used in a sneering witty Way : But you have designedly laid down the Sayings, to make them contemptuous, although not intended so. You farther add, That you thought it unkind that I refused to go to Counsel. I can't conceive any Reason why the Corporation should not satisfy themselves, by advising with a common Lawyer, notwithstanding I had received an Opinion from a Civilian by his Grace's Order ; both which Opinions did put an End to our Dispute with you, relating to the Choice : You also, in a very earnest Manner, some Time after, at my own Door (for you would not come in) told me, that the Charge of the Chapel-Wardens advising with Counsel, should not cost the Chapel one Farthing ; and repeated the same by saying, No, not a Farthing. Now, Sir, let me ask you, What Justice is there in

this? for if it was reasonable to put this Charge to the Chapel Account, when you desired them to go to Counsel, is it not as equitable, that the Chapel-Wardens should do the same, in Matters in which there were great Doubts, concerning the Choice of the Chapel-Clerk, and other Affairs relating to the Chapel? But, in order to revive fresh Debates, you publish your Letter with Remarks, as I have before observed; therefore it is your own Behaviour, not only in this, but in many other Affairs, that hath created such a small Respect from this Corporation. Sir, I did tell you, the Corporation intended to advise with Counsel, on several other Questions, besides that relating to the Choice of a Clerk; and I said to you that I was sorry for it: And my Meaning was on account of your rigorous Behaviour, upon the Election of a Clerk, after the long Possession acquiesced in by Archbishop *Wake*; which would set the Corporation upon an Inquiry into theirs and the Chapel-Wardens Rights, and so occasion their asking several other Questions, which might produce further Disputes: As for the remaining Part of your Letter, I desire you will read the Answers of this Corporation, and of the respective Gentlemen thereto; by which you will discern the many Mistakes contained in yours, agreeable to my first Letter.

Upon the Whole, I fear you have been too credulous to the Tales of officious People; Hearsay being not always sufficient Evidence to assert Facts; which should make one of your Profession very cautious of giving Ear to idle Stories. I am,

SIR, Your humble Servant,

GEO. BROOKS.

To the Reverend Dr. CARTER.



Mr. DILNOT, the late Mayor's Answer.

Deal, July 31. 1751.

Reverend SIR,

Looking over your Letter, I observe, That in relating the Conversation that pass'd betwixt you and me, concerning the Right of chusing a Chapel-Clerk, you have not done it with that Exactness and Candour I cou'd have wish'd; for which Reason I am induc'd to set the Whole in its real Light, that the Town may be enabled to form a fair and equitable Judgment of the Part which I am accus'd of acting.

The Sunday after the late Clerk's Decease, and after Evening Service, you came to the North Door of the Chapel, desiting to speak with me. We withdrew towards the Vestry; you put into my Hands the 91st Canon, requesting me to read it; when I had perused it, I told you, that it seem'd to me to be quite foreign to the chusing of a Clerk for our Chapel; you answer'd, that it was all the same; I reply'd, that if 'twas your Right, I might venture to affirm, the Gentlemen, meaning the Corporation, wou'd not desire to deprive you of it; but if theirs, I was very sure, they wou'd not give it up. You then added, that the best Way would be to go to Counsel; in that we agreed. I likewise further told you, that I should meet the Gentlemen in a few Days, and would let them know what you had said to me. You desir'd when we had so met and consulted, that

I would acquaint you with the Result ; I readily promis'd it. Some Days after, an Assembly was call'd ; I laid the Case before them, as I promis'd. When the Business of that Day was over, we adjourn'd to my House, and in less than a Quarter of an Hour afterwards, I waited on you myself, and told you, That the Opinion of the Gentlemen then was, that you had no Right in the Choice of a Clerk, but that the Power was lodg'd in the Corporation ; and that they wou'd not go to Counsel, as you propos'd. This is the Substance of our Conversation, as well as the Whole of my Conduct in the Affair. Now had you stopt here, you had told strict Truth ; you had done me Justice, and had likewise say'd me the Trouble of the following Observations.

You have asserted, but without any Authority for it, save your own, that I promis'd to insist upon their going to Counsel. Here I must take the Liberty to tell you, that to make me the Author of such an arbitrary Expression, is very unfair and ungenerous ; an Expression I do aver, which had never any other Being as spoke by me, but in your Letter. Tho' I was Mayor at that Time, and, as it were, Principal of the Corporation, yet Prudence has taught me to act upon Principles quite opposite to Force or Compulsion. Every Man does not think alike, no more than act alike. (Witness you and myself.) I heard their several Opinions with Patience and Pleasure, and was myself the Messenger of their Resolution, as I said before. You further say, " That I promis'd to let you know the Corporation's Answer in the Afternoon, at Mr. Brooks's." This is an Assertion directly opposite to the Concession you have made a few Lines before in my Favour ; for you acknowledge that I did perform my

my Promise, by acquainting you with the Corporation's Resolution, &c. and yet here you charge me with a Non-performance of it, when we were to meet (as you say) at Mr. Brooks's. You certainly must be mistaken in the Person. Your Memory must have greatly fail'd you in this Particular, for I positively declare I never promis'd any such Thing; neither did I so much as know that you was invited to the Mayor's Treat, or even spoke with you that Day. What past at the Mayor's was all over before I came, being near Six o'Clock in the Evening. I beg Leave to assert further, that I made you no other Promise, but what I punctually perform'd, and in the very Manner as related. For my Part, I can't imagine how you cou'd pretend to palm this upon the People as Fact, or what Motive cou'd induce you to publish it Abroad. Many conjecture, that 'tis done with Design to prejudice the Town in your Favour, and to throw an Odium upon my Conduct and Behaviour towards you: What your View really was, your self can best tell. However, if the End I propos'd be answer'd, namely, to enable the Town to form a fair and equitable Judgment of the Part which I am accus'd of acting, I have my Desire. I am,

SIR, Your humble Servant,

HENRY DILNOT.

To the Reverend Dr. CARTER.



Mr. UNDERDOWN's Answer.

DEAL, July 31. 1751.

Reverend SIR,

I Am very sensible, there is little Conversation chatted over a Glass of Wine in Company, that will even bear to be repeated; and when it is printed, the Speakers will almost always be exposed to public Ridicule; yet as you have thought proper to do me, and some other Gentlemen, this ill-natured Office, I should have been glad, if you had been more careful, in your Remarks of that Conversation; whereas, give me Leave to say, Sir, you have not only misrepresented what I there said, but have also asserted other Things spoken of by me, which I affirm I never mentioned; and this obliges me, though much against my Inclination, to give you an Answer; for I am convinced, that Writings of this kind always inflame; and instead of making up of Breaches, only set Men at a greater Distance: For which Reason, and the great Difficulty in particular that attends me, in answering of Letters, since I am not able to see to write my self, will, I hope, be a sufficient Excuse for my not giving you any further Answer, to what hereafter you may think proper to write on this Subject.

When the late Chapel Clerk died, I was soon informed, that Archbishop *Wake*, who was well acquainted with all the Proceedings of the Corporation, had suffered them to choose the Clerk, as soon as the Chapel was built, which is now thirty-

five Years since ; and as no other Clerk has been made till now, I own I was one of them, who thought it hard, this trifling Right should now be so strongly opposed, and therefore after you (who had started this Subject, at the Mayor's Entertainment) had done speaking to him, I could not help observing to you, That as the Inhabitants of the Town had laid so great a Tax upon themselves to build the Chapel, and the Corporation in particular had not only taken upon themselves the Trouble of applying for an Act of Parliament for that purpose, and also in directing and managing of the same, till the whole was compleatly finished ; but some of them were more particularly concerned in the Tax itself, who being Brewers, and the Tax laid on the Consumption of Coals, consequently paid more towards it than the other Inhabitants, as was the Case of my Grandfather and Mr. Fasham ; to which, with a very angry contemptuous Countenance, you answered, That every Bricklayer might say the same : Though, in your Letter, you say to all this Discourse, You never said any Thing uncivil, or made any Reply whatever. I still proceeded, with a View only of shewing, what the Town, and in particular the Corporation had done, in observing, That they had also given up the Right of Presentation to the Archbishop ; which I mentioned only as I thought it a Compliment paid to him. But to this you interrupted me, by saying, It was not in their Power to have done otherwise ; and consequently took away that Compliment. To this I replied, I could not be of that Opinion, believing every Encouragement is given to those, who are willing to promote such laudable Undertakings ; or else, How comes it to pass, that the Right of Patronage

tronage is in the Hands of so many Laymen? I owned indeed, I was a thorough Stranger to Things of this kind, and consequently could not say in what manner it could be effected; but this I knew, that there was a French Church in St. *Martin's Lane*, *Cannon-Street*, where the Liturgy of the Church of *England* was constantly performed; and yet as they were all French Clergymen, I imagined the Bishop of *London* did not interfere in their Nomination. And this to the very best of my Memory, which I think I am very sure of, is the Substance of the whole of my Conversation at that Time; nor had I then any Thoughts of lamenting the Right being given up to the present *Archbishop*, whom I have the greatest Opinion of, both from his public Character, and from his most excellent Charge, which I heard him deliver at *Dover*; and therefore have ever since spoken of him with the greatest Commendation: Nor should I have mentioned it at all, had it not been that, after so great a Right had been freely given up, so inconsiderable a one, as the Choice of a Clerk, should now by you be disputed; grounded only upon an Omission in the *Act of Parliament*, and which had the Clerk lived but five Years longer, it's generally thought the *Law* itself would have given them: Nor could I without contradicting my self, which I am sure you would have taken Notice of, endeavour to shew in what manner the Presentation might have been preserved in the Corporation, namely, by the Chapel's not being consecrated, calling it a *Meeting-House*; leaving out some Prayers, and altering of others, when I but the Moment before declared, I was an utter Stranger to Things of this kind. But as a greater Proof of your Mistake, Mr. *Oakley*, as soon as your

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Letter was read, then publickly in Court-Hall, and since often privately, declared, that these Words which you have laid to my Charge, were not said by me, for that he himself spoke them.

As to the other Parts of your Letter, which concern me, they being of a more private Nature, I shall purposely omit making any Reply to them; and only leave this to your Consideration, Whether you would not think it very ungenerous, in any one else, to publish what has been said in private Confidence. I am, SIR,

Your most humble Servant,

JOHN UNDERDOWN.

To the Reverend Dr. CARTER.



Mr. OAKLEY's Answer.

DEAL, July 31, 1751.

Reverend SIR,

UPON a serious Review of that Letter you wrote some time since to the Mayor of this Town, it does not appear to me to contain a Matter of such great Importance as to merit the Honour of being committed to the Press; for you must be sensible, part of it consists only of Relations (and those I fear not very candid) of what passed in common Conversation; and that too, amongst a mixed Company at the Mayor's Entertainment. I

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cannot help saying, that many of those Passages, which you have inserted, appear to be only Surmises (to call them by no harsher Name) as well as the Reflections undeserved. And as some of them nearly concern me, I was not willing to let mine, or my Friends Reputation unjustly suffer; and with this View I have presumed to make my Answer publick.

At the Mayor's Feast, Mr. *Underdown*, in Conversation about the Chapel-Clerk, said, ' That he thought it was very hard such a Trifle, as the Right to choose a Clerk, should be disputed with the Corporation, when they had so freely given up the Presentation of the Chapel to the Archbishop; which Right they might have reserved to themselves.' And then you interrupted him, saying, ' That Archbishop *Wake* would not have consecrated the Chapel, unless he had been the Patron.' Upon which Mr. *Underdown* confessed, He was unacquainted with such Things, and did not know how in that Case the Corporation could have kept to themselves the Power of chusing the Minister. But now, in Justice to him, I must own, that the following was said by me, and not by him, as your Letter wrongly asserts; ' If they had not had the Chapel consecrated, but called it a Meeting, and have had the Church of *England* Service performed in it, only leaving out, or altering some of the Prayers.' And then I added, as you have related, ' It might have been done, and the Prayers never the worse.' I frankly confess I said all this, never suspecting that such cursory Expressions, uttered extemporary over a Bottle, would have appeared in Public, or have been the Occasion of future Debate. Really, Sir, if this was to be frequently the Case,

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the Pleasure of Society must inevitably cease, and many would chuse rather to live recluse from the World, than run the Hazard of having their Words and Expressions minuted. I must confess, I was greatly surprised to find you (who ought to have been the last of Mankind) taking Notice of this as a Matter of Blame, since you well know, you have for several Years omitted reading one Part of the Service in *Deal Chapel*; I mean the *Athanasian Creed*, which is enjoined by Ecclesiastical Authority; and to which too you have assented by subscribing, if I am not misinformed. Has not this something in it that would incline one to suspect Double-Dealing and Insincerity? Whether such a Practice be consistent with Christian Simplicity, and Godly Sincerity, or even with the Honour of a Gentleman, *I will venture to ask any other but yourself*. Christianity condemns all Evasion and Shuffling; such Prevarication is as it were making a Jest, and sporting with all Decrees and Authority. It is the Opinion of many learned Men, that our *Liturgy* greatly requires a Revisal, some Things to be amended, and others expunged. I have for my Authority the Authors of the *Candid Disquisitions*, supported by the almost unanimous Suffrages of our most eminent Divines of the Church of *England*. So much has been said by them upon that Head, and, I presume, so conclusive and satisfactory, that not one of your Body (so far as I have heard) has hitherto attempted an Answer; therefore, *the Truth of them remains unimpeached*. If you think their Arguments are weak and ill supported, why don't you attack them? But it seems you chuse rather to revile, and endeavour to expose me, and others of my Level, than

to contend with those, who are better able to answer you.

You say, you was promised, ' That the Corporation would not chuse a Clerk disagreeable to you.' To relate it fairly, it will stand thus: The Mayor, Mr. *Thomas Middleton*, my self, and four other Members of the Corporation, being in Company with you at the Mayor's House, the Conversation run about the Choice of a Clerk; and you saying, ' You would not chuse one who was disagreeable to the Corporation;' in return to this Compliment, I answered, ' Neither can it be supposed that we would chuse one disagreeable to you.' To which only the Mayor and Mr. *Middleton* assented. And this I find you have looked upon as a Promise from the Corporation; but I must declare, and the other two Gentlemen will testify to the Truth of it, That neither of us were empowered by the Body of the Corporation to make a Promise of that Kind for them: Therefore, if it was not observed, they ought not to be taxed with a Breach of Promise, as you have unjustly done; neither ought you to say, That we did not keep our Promise: For soon after, Mr. *Holman* was thought on for the Clerk. I went to your House to ask you whether you had any Objections to him; and being informed by Mrs. *Carter* that you was gone to *Wingbam*, I told her what my Business was with you; and she promised to acquaint you therewith: But before you returned, Mr. *Holman* had declined to serve that Office. Then Mr. *Dennet Pilcher* was chosen; but whether he was agreeable to you, or not, I shall leave to those to judge who may read in the Corporation's Letter to you, what you said to him when he waited on you, by their Directions, to acquaint you,

you, they had made Choice of him. This, I think, was a proper Performance of that Promise, if it can be deemed one.

I accompanied Mr. *Adams* to your House, when he waited on you about the Churching of his Wife; and you then talked largely about your Right to Fees, for Churching, Burying, &c. to which I replied, ' I have seen three Opinions of Counsel to ' the contrary, but do not think they are consistent.' Yet, nevertheless, I urged, ' That the last Opinion ' we had taken, (Mr. *Knowler's*) was, That you ' had no Right to Fees for the Performance of those ' Duties or Offices.' And for that Reason Mr. *Adams* would not consent to give or promise you a Fee, in case you should church his Wife. After this you changed the Conversation, and asked, ' Whether the Corporation did not intend to stop ' your being paid 7s. 6d. for Visitation Charges?' I answer'd, ' They did.' You asked, ' What Reason they had for it?' I said, ' Because they think ' you have no Right to it.' You asked then, ' How ' they knew you had no Right to it?' I replied, ' They have an Opinion of Counsel that tells them ' so.' And then, to put an End to this Discourse, in which it was impossible for us not to differ, I said, very mildly, ' If it is your due, you can re- ' cover it by Law.' And not in that rough and abrupt manner, ' If it is your due, you may go to ' Law for it,' as you have asserted. And what unworthy of a *Christian* was there in this Reply? Unless when Men differ in Opinion about Right or Property, their appealing to the Laws of their Country to decide between them (when they cannot be set Right by Advice) can be deemed so. Then, among other things, you said, ' You was
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‘ not obliged to administer the Sacrament in the Chapel ; and that you did not care, whether you ever Preached in it again.’ And in this manner you was going on, which we thought foreign to our Purpose, and introduced with Design to avoid giving us a direct Answer ; therefore we interrupted you, by offering to take our Leave : And as we we were going, you followed us to your Gate ; and then you was again asked, Whether you would church Mrs. Adams. And you answer’d, ‘ I will not ;’ at this we parted.

As I have frankly owned, that I said the three Opinions I had seen were not consistent, I must as ingenuously confess, that I was wrong in what I said ; for on reading those Opinions over again since, I find that only two of them relate thereto ; and that the third, which I thought was not consistent with the other two, relates to a quite different matter.

Now, Sir, had your Relations been strictly true, I should have saved my self the trouble of these Animadversions : However, that there may remain no Handle for future Wrangling, and Debate, I have, as much as in me lies, endeavoured to prevent, by readily acknowledging what I either spoke or acted in the Affair ; and likewise what you have endeavoured to make Blame-worthy, I have candidly pointed out, that the unprejudiced may be enabled to judge where the Blame ought in reality to center. To conclude, ‘tis undeniably true, that every Man has his Flaws, and Blemishes, his particular Weaknesses and Failings, which it becomes a *Christian* to censure with great Candour, and with all proper Allowances : Whilst the contrary Temper (how worthy of a *Christian*, I leave you to judge)

judge) ever delights to pass slightly over the useful and valuable Parts of a Character, and chuses to dwell on those Qualities that afford the most Gratification to its Spleen and Ill-nature; without once considering that Humanity is in itself fallible, and not not one in these Days, especially of the Laity, pretends to an Exemption from it. Besides, daily Experience convinces us, that Error is prolific, that it diffuses itself thro' all Ranks and Degrees and even Bodies of Men. I am,

SIR, Your humble Servant,

THOMAS OAKLEY.

To the Reverend Dr. CARTER.



Mr. MAY's Answer.

DEAL, July 31, 1751.

Reverend SIR,

IN a Letter, some Time since sent to the Mayor of this Town, you take Notice, That the Chapel-Wardens came to your House, and that I deliver'd to you this Message from the Corporation; The Corporation think you have been guilty of a Breach of Duty, by refusing to church Mrs. *Adams*; therefore they will pay you no longer Quarterly, but Annually. This is Part only of the Message received by me from the Corporation, in the Absence of Mr. *Child*, the other Chapel-Warden; for when

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I had communicated to Mr. *Child* the whole Message, as mention'd in the Corporation Letter, and the Purport of yours to Mr. *Adams*, I went with him to deliver the same, and I aver, without any Design to affront you or any one else. But when I had repeated so much of the Message as is set forth in yours, and said, You had denied to church Mrs. *Adams*, before Mr. *Oakley*, it rais'd your Indignation; and it is evident it did, and to that Degree, that it prevented the whole Message being deliver'd, by your interposing with this emphatical Expression, *Don't tell me of Nonsense.* This Message was deliver'd to you with Decency of Expression and Behaviour: And as we came to you by the Order, and in the Name of this Corporation, your Resentment therefore surely can be no justifiable Reason for you to be angry with the Messengers; which demonstrates a very uncharitable Disposition, especially with us, whose Behaviour till then you thought so agreeable, as to invite us to dine with you last *Christmas*. How unbecoming is it for you to carry your Malice so far, as to desire the Gentlemen will not send me with any other Message? how inconsistent is this with your Age and dignified Rank, and even with that Morality, you say in your Letter, you have endeavour'd to exemplify in your self and Family? and with what Indecency did you raise your Indignation, so as hastily to push your Door against us, with a Design, we believe, to shut us out, but Mr. *Child*'s Foot accidentally prevented the same. You cannot but remember the Extremity of your Passion, because Mrs. *Carter* herself at that Time caution'd you against it. I positively assert, That Mr. *Child* did know the Contents of this Message and Letter before we attended you thereon; there-

therefore you are very much mistaken in affirming the contrary, as will appear by what he says at the Foot of this. I am,

Your humble Servant,

JOHN MAY.

THIS is to certify, that I have read the above Letter, and that what is therein contained relating to me and to Dr. Carter's Behaviour, is strictly true,

MARTIN CHILD.

To the Reverend Dr. CARTER.



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APPENDIX.

DR. HAY's Opinion concerning the Duty of the Curate of the Chapel of Deal, and the Perquisites which he claims.

The Curate is obliged to such Duty as the Ecclesiastical Laws require in a Parish, but entitled to no Perquisites, which would be prejudicial to the Mother Church.

G. HAY,
Doctors-Commons, May 15, 1751.

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